admit that I am justified in saying that I am not prepared to bracket it with agriculture of that sort. Still it is agriculture, it can be called so. Other things are also mentioned here. So my submission, Sir, is although the suggestion of the Hon'ble Member is a move to go along the line of least resistence which he thrice stressed "without commitment" and the suggestion here if that other clause goes, this will also goes, if that contingency happens, I pray and I hope it will happen, why a matter which is almost known to be going to die, why there should be a companion in death and that to be put in there by my esteemed friend from Chittur. With the almost guarantee of death why give the drowning man a companion is the question? He is not going to be benefited. On the other hand, this will be a drag upon him—a drowning man when he comes into contact with a weighty body, both of them have greater opportunities of going down earlier than otherwise. I do not think for that reason this bill need be sent to the Select Committee. I submit that this is a bill which has to be given its desserts at the proper time and my respectful submission is its fate must be one of getting its death not in the company of the other comrades in the Select Committee but independently on its own merits, instantly, here and now. I have done.

Mr. K. T. Achyuthan *(Ezhuvas-Mukundapuram):* Sir, at this stage we don't oppose this bill. At the same time we are not committing with regard to the principles contained therein. It is only in the Select Committee that the different aspects of this bill can be considered, and a conclusion formed as to what will be the fate of the bill. At this stage we don't oppose it.

Mr. A. Eachara Menon *(Chittur-Tattamangalam):* I am amenable to the suggestion that the bill may go to the Select Committee.

Motion put and carried

Secretary to the Council: The title of the Bill is Cochin Verumpattomdars Act (Amendment) Bill.

Mr. M. Sivarama Menon *(Advocate-General):* I move that this bill may be referred to the same Select Committee which is considering the other Verumpattomdars Act (Amendment) Bills of Messrs. V.R. Krishnan Ezhuthassan and M. K. Verghese with the inclusion of the mover of this bill. The names of the members of the Select Committee for this bill are Messrs. A. Eachara Menon, V. R Krishnan Ezhuthassan, L. M. Pylee, M. K. Verghese, C. N. Ittiravi Namboodiri, P. Mani P. Kumaran Ezhuthassan, K. I. Velayudhan, K. Balakrishna Menon, Advocate-General and the Minister for Revenue.

Mr. Parambi Lonappen *(Irinjalakkuda):* I support it.

Motion put and carried

(ii) The Cochin Shops and Commercial Establishments Bill

Mr. Puthur Achutha Menon *(Kattur):* I move that the Shops and Commercial Establishments Bill be read in Council.

Mr. V. R. Krishnan Ezhuthassan *(Oorakam):* I second it.

Mr. Puthur Achutha Menon *(Kattur):* Sir, I do not think a lengthy speech is necessary on this bill at this stage. Many members of this House are quite familiar with the provisions of this bill. This bill has a long and chequered history in this State itself. In 1116 or so, 6 years back this Bill was introduced by me in this Council and it was referred to a Select Committee for consideration. Many of the Hon'ble Members are familiar with the provisions of the bill as amended by the Select Committee which set by the purpose but I could not push on with the bill as I was out of the council by the time the Select Committee report was ready. The Government of Cochin have extended their hands of help to many sections of labour of the State except this particular section. There are quite a large number of workers working in shops and commercirl establishments, restaurants, and eating houses in the State. For the past so many years there has been constant agitations from these workers that they must also be given some sort of relief by the Government. A resolution was moved in this council itself and afterwards a bill was moved and I am glad to inform this House that the Hon'ble Member, the then President of Chamber of Commerce of the State Mr. Govinda Pai, accepted the principles of this Bill. The principle of this Bill is quite simple. Such a legislation is now available in many parts of British India. My Bill as can be seen is practically a copy with slight atteration of the Bombay Bill which is in force in Bombay from 1939 onwards. Sir, a cry is altempted to be raised that there will be practical difficulty if this bill is introduced in all parts of the State. So, if you refer to my bill you will find that my suggestion is that this bill must come into force in Mattancheri, Ernakulam and Trichur in the first instance and the Government may afterwards

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extend it to other parts of the State. There are two important features in the bill that is the hours of work of these workers should be regulated and restricted the closing hour must be fixed in this bill for shops and commercial establishments, the hours of work should also be specified, time for rest must be given and there must be a compulsory holiday every week. These are the main features of the bill. I think all sections of the House will accept the principle of this bill. With these few remarks I commend this bill for the consideration of this House.

Mr. M. O. Thomakutty (*Industries and Commerce*) : Mr. President, Sir, I rise to oppose this Bill. I do not for a moment believe Sir, that there is urgent necessity for the enactment of such a measure in this State.

It is true, Sir, that industrial and factory labour has been regulated by legislation. But is it possible or practicable to regulate hours of work in shops, commercial establishments, restaurants, eating houses, theatres and other establishments? Is it necessary to have such an elaborate machinery to regulate and control this?

My humble submission, Sir, is that it is not at all necessary at this juncture. Hon'ble Members must be aware that there is at present that good will and understanding, which are so essential for harmonious and smooth working, between the employers and employees of these shops and other commercial establishments. All reasonable facilities and conveniences are afforded by the employers to their employees. The enactment of such a measure is calculated only to embitter the feelings between these two classes of people and sow the seeds of discord and strife where there is harmony and peace now.

There is no use, Sir, of laying down impossible conditions. We must be able to see things in their realities, and what we propose to do must be feasible of execution. Clause 9 of the bill moved by Mr. P. T. Jacob enjoins that "suitable and sufficient means of lighting and ventilation shall be provided and maintained by the occupier of that shop or commercial establishment". Further down, clause 11 lays down that there shall be provided and maintained in every shop or commercial establishment by the occupier suitable and sufficient sanitary conveniences and washing facilities for the use of all persons employed in or about the business of that shop or commercial establishment". The Hon'ble Member seems to dream of an Utopia. It is well and good if we have such ideal places to carry on our business. But the Hon'ble Members must have enquired about the present condition of the shops and buildings where these commercial establishments are held. Is it possible, Sir, to change the condition of these ill-ventilated, dark, dingy buildings in an overnight? And what can the occupiers of these shops do to rectify them when in the majority of cases these buildings and shops are owned by other people?

One important provision in this bill is that there must be a weekly holiday. As far as my information goes, all the shops and other commercial establishments are observing a weekly holiday at present. I am therefore at a loss to understand why there should be a legislation for this purpose when this privilege is as a matter of fact already conceded.

By another provision it is sought to restrict the wroking hours of a shop on a day. While it is no doubt undesirable to work late in the night, it is at the same time not feasible to limit the working hours by hard and fast rules. No shops will be opened unusually late because the shop owners themselves will also feel the inconveniences and difficulties inherent in such late closings. But time is an imortant factor in commercial transactions. At times it may so happen that if a transaction is not closed on that day itself it may result in heavy losses and in such cases they may have to work sometimes late. This is more applicable in the case of wholesale merchants. It is not advisable therefore to limit the working hours by such hard and fast rules. These are matters which can very well be left to the discretion of the shop owners. They have also to be trusted as your fellow beings. It is not at all their intention to inflict their employees unnecessarily. I think that legislation is not at all necessary in such a matter. It will certainly create difficulties in practical day to day working.

Weekly holiday is an important feature in these bills. This is a matter which is being observed at present by all Sub-Clause 4 of clause 9 of Mr. P. K. Dewer's Bill enjoins that no abatement of wages of any person employed in a shop on account of a holiday can be allowed and that he should be paid for such day the wages he would have drawn had the shop not remained closed on that day. There will be coolies engaged on piece work system and who are paid on the actual work they do. The rule as it is now drafted is not clear. It is rather hard to ask an employer to pay such coolies for no work done by them.

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The Bills, as they are presented, are very defective in several respects. In the first place, I am of opinion, that there is no necessity in the circumstances prevailing at present in our State. The sponsors of this Bill must realise that there is complete concord between the employers and employees in this respect. The employers are giving all reasonable facilities and privileges to their employees at present, and they are completely satisfied also. Mr. P. T. Jacob explains in the objects and reasons of his bill that this is intended to check the unemployment problem which comforts us at present. I wonder how much restrictions and limitations as are proposed to be imposed by this piece of legislation will only increase unemployment. My humble submission, therefore, Sir, is that there is no justification for enacting this Bill at present. It is a mischievous piece of legislation calculated to create discord and strike among the merchants and their employees. I therefore oppose this Bill.

In a matter of this kind it is the paramount duty of this house to convince itself that such a measure is an urgent necessity and that the people who are going to be affected by it demands it. I, who has the privilege of representing the commercial community in this House, maintain that this is wanted neither by the merchants nor by their employees. Before granting leave for introduction for these Bills it has therefore to be ascertained whether the public of the State wants this measure. I therefore move that the Bills be circulated for eliciting public opinion.

*മിസ്റ്റർ പി. ടി. ജേക്കബ്ബ് : സർ, ഈ ബില്ലിനു് എതിരായിട്ടുള്ള മനോഭാവം പ്രായേണ വാണിജ്യവ്യവസായമെമ്പർ പ്രസ്താവിച്ചതുകൊണ്ടാണു ഞാൻ പ്രസംഗിക്കാനുദ്ദേശിച്ചതു്. ക്ലോസ്സ് ൻ-ൽ പറയുന്ന സംഗതികളും മനോ പ്രായോഗികമല്ലെന്നും പറയുന്നു. അതുപോലെതന്നെ സാധാരണ ഇപ്പോഴത്തെ മുതലാളികളും തങ്ങളുടെ ശമ്പളക്കാർക്കു തൊഴിൽ നടക്കുന്ന സമയങ്ങളിൽ താമസിക്കാനുള്ള സൌകര്യങ്ങളും ചെയ്തിരിക്കുന്നതു തെറ്റാണു്. അതു് എടുത്തുതന്നെ ഞാൻ അവതരിപ്പിക്കാൻ അനുവാദം ആവശ്യപ്പെട്ടിരിക്കുന്ന ബില്ലിൽ ചേർത്തിട്ടുള്ളതുമാണു്.

എനിക്കു് ഈ സമയത്തിൽ പറയുവാനുള്ളതു് മിസ്റ്റർ അച്യുതമേനോന്റെ ബിൽ വാസ്തവത്തിൽ തൊഴിലാളികളുടെ ആവശ്യത്തിനു വേണ്ട എന്തെങ്കിലും പ്രായോഗികമായ രീതിയിൽ സഹായം ചെയ്യുമെന്നു് എനിക്കു വിശ്വസിക്കുവാൻ കഴിയാത്ത വിധത്തിലുള്ള മനോഭാവമാണു്. ഇതു് തൊഴിലാളികൾക്കു എന്തുമാത്രം ഗുണം ചെയ്യുമെന്നുള്ള കാര്യത്തിൽ എനിക്കു ബലമായ സംശയമുണ്ടു്. തൊഴിലാളികൾ ഒരു ക്ലിപ്തസമയം കഴിഞ്ഞു വേലയെടുക്കുകയാണെങ്കിൽ കൂലിയുടെ മുന്നിരട്ടി മണിക്കൂർ കണക്കാക്കി കൊടുക്കണം എന്നാണു പറയുന്നതു്. എന്നാൽ ഒരു തൊഴിലാളിയെയും എട്ടു മണിക്കൂറിൽ കൂടുതൽ പണിയെടുപ്പിക്കുവാൻ അനുവദിച്ചിട്ടുമില്ലാ എന്നാണു ഞാൻ പറയുന്നതു്. അതുകൊണ്ടാണു് എന്റെ ബില്ലിൽ തൊഴിലാളികളുടെ വേലാസമയം കുറച്ചു തൊഴിലാളികളെ കൂട്ടി ഇതിനൊരു പരിഹാരമായി നിർദ്ദേശിച്ചിട്ടുള്ളതു്. എട്ടു മണിക്കൂറിൽ കൂടുതൽ ഒരു തൊഴിലാളിയെയും പണിയെടുപ്പിക്കരുതു്. തൊഴിലാളികൾക്കു വിശ്രമിക്കുവാനുള്ള സമയം ഉണ്ടാകുമല്ലൊ. ഈ ആവശ്യങ്ങളാണു് എന്റെ ബില്ലിൽ ഉൾപ്പെടുത്തിട്ടുള്ളതു്. കൂടാതെ പത്തും പതിനഞ്ചും മണിക്കൂർവരെ പണിയെടുപ്പിക്കുന്ന എണ്ണപ്പാടകളും ഇന്നു മട്ടാഞ്ചേരിയിലും അതുപോലെയുള്ള മറ്റു ചില പട്ടണങ്ങളിലും നടക്കുന്നുണ്ടു്. ഞാൻതന്നെ തൊഴിലെടുത്തിരുന്ന കാലത്തു് എനിക്കറിയാം, മട്ടാഞ്ചേരി പട്ടണത്തിലുള്ള പല റോഡുകളും ഞാൻ തിരെ വിസ്മരിച്ചുപോയിട്ടുണ്ടു് എന്നു്. ചില പ്രദേശങ്ങൾ കണ്ടാൽ എത്രണ്ടെന്നുപോലും മനസ്സിലാക്കുവാൻ കഴിയാത്തവിധത്തിൽ ഞാൻ ആ തൊഴിൽശാലയിൽതന്നെ ഇരുന്നു ജോലി ചെയ്യുവന്നിട്ടുണ്ടു്. ഇങ്ങിനെ വേലക്കാർ അവരുടെ കാര്യങ്ങൾപോലും അനുഭവിക്കുവാൻ തരമില്ലാത്തവിധത്തിലാണു് ഇന്നു വേലയെടുക്കുന്നതു്. തൊഴിലാളി മഴവുണ്ടെന്നു പറയുന്നുണ്ടു്. അതിനു് ഒരു വലിയ മനോവിഷ്കാരത്തെയും പ്രസിദ്ധം ചെയ്ത കാലത്തു് ഞാനിടയ്ക്കുള്ള രണ്ടോ മൂന്നോ കൂലിവേലക്കാരല്ലാതെ മട്ടാഞ്ചേരിയിലെ ബാക്കി കൂലിവേലക്കാർ ഒരുത്തനെ അന്നേദിവസം കണ്ടുകിട്ടുകയുണ്ടായിട്ടില്ല. ശരിയായി അതനുഭവിക്കുന്ന മറ്റൊരു കൂലിവേലക്കാരൻപോലും ഇല്ലെന്നുവരണം പറയുവാൻ. ഇന്നും തൊഴിലാളിദിവസം കടകൾ തുറക്കുന്നുണ്ടെന്നുള്ള ഭാവം കൊച്ചിൻ ചേമ്പർ ഓഫ് കോമേഴ്സിലേയ്ക്കയച്ചിട്ടും അവർ അതിനു സമാധാനം പറഞ്ഞിട്ടില്ല എന്നു് എനിക്കു വ്യക്തമായി പറയുവാൻ സാധിക്കും. കൊച്ചിയിൽ തൊഴിലാളിദിവസം ഉറക്കത്തായോ വണിയെടുപ്പിക്കാത്തതായോ ഒരു കടകളുംപോലും ഇന്നില്ല.

*Speech not corrected by the Hon'ble Member.

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Mr. M. O. Thomakutty *(Industries and Commerce)*: On a point of information, I say that the Cochin Chamber of Commerce has issued notices to all concerned that Sundays should be observed as holidays.

മിസ്റ്റർ പി. ടി. ജോക്കബ്: ഞങ്ങളെ നോട്ടീസയച്ചിട്ടൊന്നു പറയുന്നതെങ്കിലും ആരുടെ കടകളാണ് പൂട്ടുന്നതെന്നു ഞാൻ ചോദിക്കുന്നു. നിങ്ങളുടെ മുന്നു നാലോ മുതൽ സ്ഥായിലുള്ള കടകളല്ലാതെ മറ്റു ഏതൊരു പാണ്ടികശാലയാണ് അടക്കുന്നതു? തൊണ്ണൂറു മുതലുള്ള ദിവസമാണെങ്കിലും പീസ്‌വർക്ക് ചെയ്യിക്കുന്നവരെന്ന പേരിലാണു പണിചെയ്യിക്കുന്നതു. അതുകൊണ്ടു ഇതിനും മറ്റു നിയമംമൂലം കർശനമായ നിയന്ത്രണം വരുത്തേണ്ടതു് ആവശ്യമാണ്. മറ്റു ദിവസമെങ്കിലും വിശ്രമിക്കുവാനുള്ള സമയം തൊഴിലാളിക്കു കൊടുക്കണം. അതു തൊണ്ണൂറു മാത്രമായാൽ പോരാ. ശനിയാഴ്ച മന്നർ, രണ്ടു മണിക്കു മുമ്പായിരുന്നു കടകൾ പൂട്ടണം. പിന്നീടു മറ്റു വ്യവസായശാലകളും തുറന്നിരിക്കാൻ പാടില്ല. അടുത്തു ബ്രിട്ടീഷ്കൊച്ചിയിൽ യൂറോപ്യൻകച്ചവടക്കാർ എല്ലാം ശനിയാഴ്ചദിവസം കൃത്യം മന്നര മണിക്കുതന്നെ അവരുടെ കടകളും വ്യവസായശാലകളും ആഫീസുകളുമെല്ലാം പൂട്ടുന്നു. അവിടെ അവർ ഓരോ തുറകളിലും കൂടുതൽ തൊഴിലാളികളെ വെച്ചിട്ടുണ്ട്. പണികൾ കൂടുതലാണെങ്കിൽ അവർ തൊഴിലാളികളെയും കൂട്ടുന്നുണ്ട്. എന്നാൽ ഇവിടെയാണെങ്കിൽ പണ്ടുപണ്ടേക്കൊണ്ടു ചെയ്യിക്കേണ്ട ജോലി രണ്ടോ നാലോ ആളുകളെക്കൊണ്ടാണു ചെയ്യിക്കുന്നതു. അതുകൊണ്ടാണ് എട്ടും പത്തും പന്ത്രണ്ടും മണിക്കൂർ വരെ, രാത്രിയിലും കൂടിയിരുന്നു ജോലി ചെയ്യേണ്ടിവരുന്നതു. ഇതിനും പുറമെ പണികൾ ഇതിലും കാര്യക്ഷമമായ വിധത്തിൽ വേലക്കാരെക്കൊണ്ടു് എട്ടു മണിക്കൂർ സമയം മാത്രം വേല ചെയ്യിപ്പിച്ചു്, അവർക്കു വിശ്രമം കൊടുക്കുവാൻ സാധിക്കുന്നതാണ്. അതു നിയമംമൂലമല്ലാതെ സാധ്യമല്ല. ഇതിനുള്ള നിയമങ്ങൾ ഇപ്പോൾ അടുത്തുള്ള സിലോണിൽ നടപ്പിലാക്കിട്ടുണ്ട്. വളരെയധികം ജനങ്ങൾ തിങ്ങിപ്പാർക്കുന്നതും വലിയ വ്യവസായശാലകളും വ്യാപാരങ്ങളും ഉള്ളതുമായ സിലോണിൽപോലും ഈ സാധുക്കൾക്കെങ്കിൽ ഇവിടെ അതു പ്രായോഗികമല്ലെന്നു പറയുന്ന ബഹുമാനപ്പെട്ട വാണിജ്യമന്ത്രിയോടു് അങ്ങോട്ടു മനസ്സു നോക്കണമെന്നു ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു. വലിയവലിയ പട്ടണങ്ങളിൽ പ്രായോഗികമായി നടപ്പിൽ വരുത്തിട്ടുള്ള സമ്പ്രദായം നമ്മുടെ കൊച്ചുകൊച്ചിയെന്നു നാം പറയുന്ന ഈ ചെറിയ രാജ്യത്തിൽ നടപ്പിൽ വരുത്തുവാൻ സാധിക്കുകയില്ലെന്നു പറയുന്നതു ശരിയല്ല. കൂടുതൽ ശമ്പളക്കാരെ നല്ല കൂലി കൊടുത്തു വെക്കുവാനുള്ള ശേഷിക്കുറവുകൊണ്ടാണ് ഞങ്ങളെ പറയുന്നതു. അതുകൊണ്ടു് ഇങ്ങിനെയുള്ള മുതലാളിമാരുടെ അഭിപ്രായങ്ങൾക്കു് മാറ്റം വരേണ്ട കാലം അതിക്രമിച്ചിരിക്കുന്നുവെന്നാണ് എനിക്കു പറയുവാനുള്ളതു്. മുതലാളിമാർ ഏപ്പോഴും തൊഴിലാളികളെ കടകളിൽ താമസിപ്പിച്ചുകൊണ്ടു പത്തും പന്ത്രണ്ടും മണിക്കൂർ പണിയെടുപ്പിക്കുന്നു ഇന്നത്തെ എപ്പാട് ഇല്ലായ്മ ചെയ്യണമെന്നു ഞാൻ എന്റെ ബില്ലിൽ പറഞ്ഞിട്ടുണ്ട്. അതു അനുസരിക്കാതെ മറ്റു മുതലാളി തെറ്റു ചെയ്താൽ അതിനു തക്ക ശിക്ഷ നൽകുവാനുള്ള വ്യവസ്ഥയുംകൂടി വേണമെന്നു ഞാൻ എന്റെ ബില്ലിൽ ഉൾക്കൊള്ളിച്ചിട്ടുണ്ട്. എന്നാൽ അതു് ഈ ബില്ലിൽ കാണുവാനില്ല. ഈ ബില്ലിൽ ഏതാണ്ടു നടപ്പിലാക്കാനിടയുള്ള ശിക്ഷ നൽകുന്ന മറ്റു വ്യവസ്ഥയാണ് എതാണ്ടു നടപ്പിലായിട്ടുള്ളതു്. അതുകൊണ്ടു നമ്മുടെ നാട്ടിലും ആ വ്യവസ്ഥ ആവശ്യമാണ്. തൊഴിലാളികളെ കൂടുതൽ മണിക്കൂറിൽ കൂടുതൽ വേല ചെയ്യുവാൻ അനുവദിക്കുന്നതെന്നും, തൊഴിലിന്റെ കൂടുതലനുസരിച്ചു തൊഴിലാളികളെ വഷ്പിപ്പിച്ചു തൊഴില്ലായ്മ പരിഹരിക്കുന്നതാണെന്നും, കൂടുതൽസമയം ജോലി ചെയ്യിച്ചാൽ അതു ശിക്ഷാർഹമാക്കണമെന്നതാണെന്നും ഉള്ള നിർദ്ദേശത്തോടുകൂടി ഞാൻ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നു.

*Mr. P. K. Dewer *(Nominated)*: I rise to support the motion. There is a Bill standing in my name. There is one difference between my Bill and the Bill under consideration. I have incorporated the provisions of the 1944 Act requiring the shop-keepers to give paid holidays for their workmen. In that respect my Bill is a little different from this. This Bill has been characterised by the representative of the commercial community of the State as an unnecessary one and one which is not wanted either by the commercial commuity nor the employers. That is not a fact. There are employers' associations in Mattanchery, Ernakulam and in Trichur. All those associations have been clamouring for holidays and better conditions of service. Memorandums have been submitted not only to the commercial community but to the Government also. But the commercial magnates paid no heed to it. In spite of that there is an

* Speech not corrected by the Hon'ble Member.

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association working and they have submitted memorandums to the Government as well as to the chamber of commerce. Nothing has been done. If as the commercial representative claimed here that there are holidays given to them every week and better service conditions given to them, where is the harm in having this law on the Statute Book. I ask what is the difficulty. This law has been enforced in Bombay, Madras and other provincial capitals. No harm has been done to any commercial concern there. If that is so, is it not better to have this new provision so that there may not be further trouble. Probably our friends, the commercil magnates here want the employees to launch upon strikes and create situations warranting the commercial magnates to accuse them. It is in the interests of the traders themselves that we want to restrict the hours of work of the employees. These employees are hard-working men and we do not want them to work till 12 O'Clock at night. We want them to take rest as well as allow us to take rest. Therefore we are introducing such provisions and such Bills. Whenever the employee demands his right it was always been characterised as arrogance on the part of the employee. It is no fault of the employee but that of the outlook of the employer and people who are akin to them. It is no wonder that when retired officers who have been brought up in that sort of mentality, when arrogance has been developed along with them, it is no wonder that they characterise the legitimate demands of the workers as arrogances. I want to make the House understand that labour never wants to go a begging. Labour always demands its right. If we ask for anything it is not because that we think that it is not our right. We legitimately think that it is our right and therefore you find in all the resolutions of labour organisations the word "demand" and not "request". We use that word not unconsciously; consciously we use it, because it is our legitimate right and we do not want to go abegging. We are working and it is our right to demand full wages and better conditions for us and therefore I support this Bill.

Mr. P. Govinda Menon (*Minister for Food and Education*) : Sir, a similar Bill was introduced in this House five or six years ago by the same Hon'ble Member who moved the Bill today. Subsequently I think the Bill lapsed since the Hon'ble Member who moved it ceased to be a member of this House. Government do not want to oppose this Bill; on the other hand they accept the principles underlying the Bill. Similar legislations are in existence in several parts of India and very recently the Madras Government themselves have published a bill on similar lines. The principle underlying this Bill is one for regulating labour conditions in shops, commercial shops, theatres, etc. The only point for consideration is what suitable modifications are to be made to suit local conditions and therefore Government will support the motion for referring the Bill to a Select Committee. With these few remarks, I support the principle of the Bill.

Mr. Puthur Achutha Menon (*Kattur*) : Sir, just one word. The Hon'ble Member representing Commerce and Industries was characterising my Bill as a mere dream or something like that. Sir, I beg leave of the House just to allow me to read one sentence from a speech supporting this Bill by one of the Commercial magnates of Mattancheri Mr. Govinda Pai at the time when it was first introduced in this House. He was the President of the Indian Chamber of Commerce then. He was supporting this Bill with the following remarks: "The European firms and the banks customs and Port Offices and the Public Offices are closed on Sundays. But these rules do not apply to the native merchants and this piece of legislation will be a great service to the working class as well as the mercantile community". Now I am really surprised that another member of the mercantile community takes into his head to oppose this Bill.

Mr. M. O. Thomakutty (*Commerce and Industry*): Why did you then fail to pass this Bill into law?

Mr. Puthur Achutha Menon (*Kattur*) : By the time the select committee report was ready, I had resigned from the Council. I was a State Guest at the Viyyur Central Jail. So I could not pursue the Bill at the next session of the Council. Otherwise this would have become law long before.

Mr. President : The question before the House is that the Cochin Shops and Commercial Establishments Bill be read in Council.

Motion put and carried

Secretary to the Council : The title of the Bill is the Cochin Shops and Commercial Establishments Bill.

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Mr. Puthur Achutha Menon (*Kattur*): Sir, I move that the Bill may be referred to a select committee consisting of the following members.—

1. Minister for Food and Education
2. Advocate General
3. Mr. P. T. Jacob
4. ,, P. K. Dewer
5. ,, P. K. Paul,
6. ,, L. M. Pylee
7. ,, K. H. Sulaiman
8. ,, M. O. Thomakutty and
9. ,, the Mover.

Mr. M. O. Thomakutty *(Commerce and Industry)*: I propose Mr. Jos K. Verghese and Mr. S. S. Koder may also be included in the Select Committee.

Mr. P. K. Dewer *(Nominated)*: I propose the name of Mr. K. I. Velayudhan.

Mr. President: The question before the House is that the Cochin Shops and Commercial Establishments Bill be referred to a select committee consisting of the Minister for Food and Education, the Advocate General, Mr. Jacob, Mr. Dewer, Mr. Paul, Mr. L. M. Pylee, Mr. Sulaiman, Mr. Thomakutty, Mr. Koder, Mr. Jos K. Verghese, Mr. K. I. Velayudhan and the Mover.

Motion put and carried

Mr. Puthur Achutha Menon *(Kattur)*: The time for the select committee report may be fixed as two months.

Mr. President: Yes. The Minister for Food and Education will be the Chairman.

(iii) The Cochin Minimum Wages Bill

Mr. P. K. Dewer *(Nominated)*: I move the Cochin Minimum Wages Bill be read in Council.

Mr. K. I. Velayudhan *(Ezhuvas-Talappalli)*: I second it.

*Mr. P. K. Dewer *(Nominated)*: I do not want to make any statement at this stage. It has been observed by the special representative of labour when a similar Bill moved by the Hon'ble Minister was under consideration that in the Government Bill there is a proviso, viz., "Provided that Government shall not be required to fix minimum wages in respect of any scheduled employment where there are in the whole State less than one thousand workmen engaged in such employment". You will find that that proviso does not exist in my Bill and it has also been stated by the lady member Mrs. T. Francis that differenciation is made between the wages of men and women. That differenciation also you will not find in my Bill. If you go through the Bill, you will find the category as "adults, adolescents and children" and not women. The Hon'ble Minister for Food and Education tried to convince me that my definition of minimum wage was not required. Because I am not a lawyer myself and I do not find any harm in the definition being there. On the other hand I find that will be more advantageous also. We are giving direction to the Board that they should in fixing the minimum wage to be fixed consider this. These are things that can be discussed in the Select Committee and if I am convinced I will certainly abide by the majority. In my Bill I have not made provisions for bonus. This Bill was given notice of long ago and there has been much change in the Government since then. It was not the only reason. In the adjudication proceedings we have always found it very difficult to convince the adjudicator of what the minimum wage should be. One of the demand throughout the State, throughout India hasb een that the minimum wage must be raised. But the adjudicator shall not be in a position to fix what would be the minimum wage. Therefore they have prevailed upon the representatives of the labourers to withdraw that demand. It has been done so in the first adjudication that came up before the Chief Justice of the High Court and therefore I thought that there must be a minimum wages bill. In the matter of bonus the adjudicator had not found it very difficult to fix the bonus. It has been accepted now by all well-established firms that bonus is not ex-gratia payment but it is a legitimate right of the labourer. It has been accepted by all well-established firms and they are now giving this. But the only difficulty is that the employees are not getting the due share in the profit. These things can now be well considered by the select committee.

*Speech not corrected by the Hon'ble Member.

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